

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASSANDRA MASON o/b/o R.	:	CIVIL ACTION
	:	
v.	:	
	:	
JO ANNE B. BARNHART	:	NO. 05-5421

ORDER

AND NOW, this 17th day of May, 2006, upon careful and independent consideration of the administrative record in this matter, plaintiff's motion for summary judgment (docket entry # 8), defendant's motion for summary judgment (docket entry # 11), the Honorable Linda K. Caracappa's Report and Recommendation (docket entry # 14), plaintiff's objections to the Report and Recommendation (docket entry # 15), and the Court finding that:

(a) In both her motion for summary judgment and her objections to the Report and Recommendation, Cassandra Mason, mother of "R.", argues that R. has "marked" limitations in certain domains of functioning -- i.e., attending and completing tasks, interacting and relating with others, and caring for yourself -- and that because he has such "marked" limitations in at least two domains, he is disabled;

(b) Because these arguments appeared in the motion for summary judgment, Judge Caracappa was able to address them in her Report and Recommendation, see Rep. & Rec. at 14-19;

(c) After reviewing the record, we concur completely with Judge Caracappa's evaluation of the evidence, particularly her discussion of the three domains at issue, and her conclusion that substantial evidence supports defendant's decision, see 42 U.S.C. § 405(g); and

(d) Thus, we shall overrule Mason's objections, approve and adopt the Report and Recommendation, and enter summary judgment in favor of defendant;

It is hereby ORDERED that:

1. Plaintiff's objections are OVERRULED;
2. Judge Caracappa's Report and Recommendation is APPROVED and ADOPTED;
3. Plaintiff's motion for summary judgment is DENIED;
4. Defendant's motion for summary judgment is GRANTED; and
5. The Clerk shall CLOSE this civil action statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.